

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ABRAHAM AGUILAR-LEON,

Defendant.

CASE NO: 2:24-CR-0128-TOR

ORDER ACCEPTING GUILTY PLEA
AND SETTING SENTENCING
SCHEDULE

On March 13, 2025, Abraham Aguilar-Leon appeared before the Court and entered a plea of guilty to the Indictment filed on October 2, 2024, which charges Defendant with Illegal Possession of a Machine Gun, in violation of 18 U.S.C. §§ 922(o), 924(a)(2). The Defendant was represented by J. Stephen Roberts, Jr., of the Federal Defenders of Eastern Washington and Idaho. AUSA Lisa C. Cartier Giroux appeared on behalf of the government.

The Court finds that Defendant is fully competent and capable of entering an informed plea, that the Defendant is aware of the nature of the charge and consequences of the plea and the plea of guilty is knowing, and voluntary, is not

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1 induced by fear, coercion, or ignorance and is supported by an independent basis in
2 fact establishing each of the essential elements of the crime. Therefore, the
3 Defendant's plea of guilty is accepted.

4 **ACCORDINGLY, IT IS HEREBY ORDERED:**

5 1. A sentencing hearing is set for **June 12, 2025, at 2:00 p.m.**, in Spokane
6 Courtroom 902. Absent truly exigent circumstances, the Court will not consider a
7 request for a continuance of sentencing unless: (1) the request is made by written
8 motion, (2) in accordance with LCivR 7, and (3) the motion and supporting
9 declaration are filed at least seven (7) days before the scheduled sentencing
10 hearing.

11 2. The Defendant shall remain in the custody of the U.S. Marshal's Service
12 pursuant to the detention order in this matter. ECF No. 24. **If a sentence of**
13 **incarceration is imposed, the Defendant shall remain in the custody of the U.S.**
14 **Marshal's Service.**

15 3. The United States Probation Office shall prepare a Presentence
16 Investigation Report (PSIR) pursuant to Fed. R. Crim. P. 32(c).

17 4. Not later than **May 9, 2025**, the probation officer shall disclose the
18 Presentence Investigation Report to the Defendant, counsel for Defendant, and the
19 Government. Disclosure of the Presentence Investigation Report shall be subject
20 to the limitations imposed by Rule 32 of the Federal Rules of Criminal Procedure.

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1 5. Not later than **May 23, 2025**, counsel shall communicate in writing to
2 the probation office (and opposing counsel) any objections they may have as to
3 legal and factual errors or omissions; sentencing classifications; sentencing
4 guideline ranges; and policy statements contained in or omitted from the report. If
5 an objection is filed, the probation officer shall conduct such additional
6 investigation as is necessary to assess the merits of the objection.

7 6. The probation officer shall submit the final Presentence Investigation
8 Report to the Court by **June 6, 2025**. The report shall be accompanied by an
9 addendum setting forth any objections counsel may have made, including those
10 that have not been resolved, together with the officer's comments and
11 recommendations thereon.

12 7. Not later than **May 30, 2025**, counsel shall file and serve all motions and
13 memoranda pertaining to Defendant's sentence, including departures and variances,
14 and sentencing recommendations. **FAILURE TO FILE AND SERVE**
15 **SENTENCING MATERIAL, TO INCLUDE MOTIONS OR MEMORANDA**
16 **FOR UPWARD OR DOWNWARD DEPARTURE AND VARIANCES, BY**
17 **THIS DATE WILL BE DEEMED A WAIVER OF THE RIGHT TO DO SO.**

18 8. Not later than **June 6, 2025**, the opposing party shall file and serve its
19 response limited to no more than seven (7) pages.
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1 9. If either party intends to call witnesses or proffer exhibits at sentencing,
2 witness and exhibit lists must be exchanged by the parties and provided to the
3 Court no later **May 30, 2025**. This includes the names of any party who requests
4 to address the Court prior to the imposition of sentence.

5 10. The District Court Executive is authorized to accept Defendant's \$100
6 payment which shall be applied to the Special Penalty Assessment.

7 **IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter
8 this Order and provide copies to counsel, the United States Probation Office, and
9 the United States Marshal's Service.

10 DATED March 13, 2025.



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A handwritten signature in blue ink that reads "Thomas O. Rice".

THOMAS O. RICE
United States District Judge